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PROMOTION, PROTECTION AND RESTORATION OF HUMAN RIGHTS AT NATIONAL, REGIONAL AND INTERNATIONAL LEVELS

PREVENTION OF DISCRIMINATION AND PROTECTION OF CHILDREN: HUMAN RIGHTS AND YOUTH

Progress report on human rights and youth submitted by Mr. Dumitru Mazilu, Special Rapporteur

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INTRODUCTION

1. The Commission on Human Rights, in its resolution 1985/13 of 11 March 1985, emphasized the necessity to ensure full enjoyment by youth of the rights stipulated in all relevant international instruments as indispensable for human dignity and the free development of the human personality, and requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to pay due attention to the role of youth in the field of human rights, particularly in achieving the objectives of the International Youth Year. At its thirty-eighth session, the Sub-Commission, in resolution 1985/12, referring, inter alia, to Commission resolution 1985/13, requested Mr. Danilu Mazilu to prepare a report on human rights and youth analysing the efforts and measures for securing the implementation and enjoyment by youth of human rights, particularly the right to life, education and work, in order to facilitate the Sub-Commission's discussion on the topic. The Sub-Commission requested the Secretary-General to provide all necessary assistance to the Special Rapporteur for the completion of his task.

2. The Commission on Human Rights, at its forty-third session, adopted resolution 1987/44 in which it took note with appreciation of Sub-Commission resolution 1985/12 and requested the Secretary-General to provide all necessary assistance to the Special Rapporteur.

3. The report on Human Rights and Youth was to be presented to the thirty-ninth session of the Sub-Commission, originally scheduled for August 1986. Pursuant to General Assembly decision 40/472 of 9 May 1986 and due to the financial crisis of the United Nations, the thirty-ninth session of the Sub-Commission was postponed until 1987. The Special Rapporteur was, however, unable to submit his report at that time, having been put under house arrest by the Ceausescu Government until the December 1989 revolution. In spite of this, the first version of the report was submitted in April 1988.

4. An updated report was submitted to the Sub-Commission at its forty-second session. Taking into acount the suggestions made by the members of the Sub-Commission and in conformity with his mandate, and after serious and very useful consultations with the staff of the Centre for Human Rights, the Special Rapporteur now presents a progress report on Human Rights and Youth in which have been included all aspects of the rights to life, education and work. Useful information was received from the Governments of Bahrain, China, Colombia, Namibia, the Philippines and Tuvalu; from the Youth Forum of the United Nations system (Vienna, 27-29 May 1991); from UNESCO and ILO; and from non-governmental organizations. The Special Rapporteur would like to express his appreciation to Amnesty International and the Quaker United Nations Office, Geneva, for their cooperation.

5. It is hoped that for the final version of the report, many more Governments and non-governmental organizations will transmit their views on the subject. Only in this way would it be possible to submit to the Sub-Commission a comprehensive Report on Human Rights and Youth and a draft Charter on the Rights and Freedoms of Youth.

I. THE NEED FOR A NEW APPROACH

6. Over the last three years we have been the witnesses of extremely important developments in different parts of the world, in particular, in Eastern Europe.

7. By a true revolution the peoples of this area have decided to eliminate a totalitarian system, to restore democracy and to build a society based on respect of freedom and dignity of every human being.

8. Some important changes took place in other regions of the world. In Africa, Asia and Latin America, major developments took place in the fight for human rights and fundamental freedoms.

9. At the same time numerous and serious problems persisted in some countries, where human rights and fundamental freedoms continued to be violated.

10. Any analysis of human rights and youth has to pay due attention to these important developments.

11. In order to put before the Sub-Commission and, in general, before the United Nations a thorough study on human rights and youth - after my five years of imprisonment - I intend to approach the subject from a new angle, taking into consideration the new developments and the actual requirements for the most appropriate status of young people all over the world.

II. A GENERAL VIEW

12. After World War II, the peoples of the United Nations expressed their firm determination to maintain international peace and security and to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language and religion.

13. There was a general agreement that the United Nations would be a centre for harmonizing the action of nations in the attainment of these common ends. After 45 years, the United Nations has succeeded in some of its activities directed to the maintenance of international peace and security and to the achievement of international cooperation in promoting and encouraging respect for human rights and fundamental freedoms.

14. An albeit cursory examination of the state of human rights in the world today enables us to state the following:

(a) Democracy and liberty were still being trampled underfoot even after the end of World War II; dictatorships were set up in some countries, outside of all popular control. As a result, criticism became a political crime, and those who had the courage to have their say fell victim to the tyrants' cruel repression. It is a sobering thought that more than 3 million people perished in this way;

(b) The inefficient economic structures that were imposed led to the stifling of freedom and initiative thus blocking economic and social progress and increasing shortfalls, poverty and destitution. Some rulers, vain enough to consider themselves experts in the most complex and sensitive problems of economic activity, imposed wrong economic structures and orientations, causing veritable economic disasters in some countries and at the same time depriving millions of people of the benefits of a decent existence;

(c) The unprecedented concentration of power without any limit in time in the hands of certain families as a result of serious degradation of the political system have dealt human dignity a heavy blow, in many cases negating it completely. Absolute power in the hands of the few, a total lack of public control, and - in the name of the principle of non-interference in domestic affairs - the rejection of any outside criticism have generated phenomena that are the shame of the century; in an astonishing inversion of values, we saw and continued to see some rules being deified, leaders venerated, the spread of base flattery, lies and hypocrisy;

(d) The promotion of the inept to the very top of the social pyramid in some countries has harmed their economy and culture. A reign of ignorance and stupidity has led to the negation of human values and to the discouragement of talent and creativity. Those who were unable to tolerate the onslaught of mediocrity have left and are continuing to leave their countries, seeking other, more clement latitudes for their self-fulfilment. Among the younger generation especially, the advancement granted to nonentities has caused disorientation and a feeling of despair; often ending in real human tragedies;

(e) Historically unverified and unconfirmed dogmas and the violation of the freedoms of thought and conscience have led to spiritual stagnation. Millions of believers in various countries have suffered humiliation and prosecution for their religious convictions; in bitterness, entire communities have responded by drawing closer together in their faith and in their spiritual communion. Proof of this is that precisely in those countries where anti-religious measures were multiplied, the number of believers has grown not only among older people but also among the young. Millions of young people nowadays take part in great religious processions, seeking answers to the many complex problems for which society has failed to give them a credible explanation;

(f) Criteria of race, sex, language and religion are still the basis for a variety of inequitable and unfair measures. Similarly, ethnic considerations still constitute the motivation for deliberate acts of repression. The discrimination and measures of isolation directed against whole communities have caused indignation, rebellion and social conflicts;

(g) The disillusionment felt in certain sectors of society, in particular by the younger generation, has led to a growing use of narcotics. Drug consumption continues to take its toll of thousands of human lives. In the absence of any real happiness, young people take refuge in an unreal world, thus almost irreversibly destroying their own physical and moral health;

(h) For many years dictators kept their peoples cordoned off within their national borders in order to prevent human contacts across frontiers and continents. This was a great disservice to civilization. The age-old spiritual values of humanity were officially discredited, while those who hold them were subjected and continue to be so in some countries, to unimaginable acts of repression. Instead of allowing the free circulation of ideas, values and traditions, there was an attempt, which continues in some countries, to impose dogmatic patterns of thought in a situation of national isolation. This leads to backwardness and even regression, depriving millions of people of the joys of progress and civilization;

(i) Young people find the loud bombardment of lies and hypocrisy in some countries shocking. While invoking liberty and democracy, dictators oppress hundreds of thousands of people; compulsory labour has been instituted through a declaration of the freedom of work; at a time when poverty and destitution are assuming growing proportions, statistics have been manipulated and resounding claims to prosperity continue to be sounded. The most astounding and grave inequities are perpetrated in the name of justice.

III. A SPECIFIC VIEW

15. Undoubtedly, no assessment of the state of human rights in the world would be complete if it did not take account of the younger generation.

16. The young are entitled to enjoy the rights and freedoms that are the prerogative of all humanity. Young people have the right to have full information about the past and about their own history and traditions, they have a right to a hopeful present and to a brighter and better future.

17. In our analysis we consider that the following developments must be examined:

(a) Political leaders, we note, take great pains to include in their major declarations of intent a reference "to their special concern for the younger generation". Even tyrants and dictators try to convince us that their grandiose plans for self-aggrandizement are intended to achieve "happiness for the coming generations";

(b) In some countries, arbitrary decisions running counter to the wishes of the people have resulted in the infringement of one of the most important rights of youth, the right to a knowledge of history, to a sense of continuity; the right to their past. Imposing their will by coercive measures, ignorant leaders have ordered historic monuments, places of worship, religious monuments and numerous structures built in the traditional local style to be demolished; to replace them, they have tried to foist a vulgar style of architecture, devoid of any quality, even that of being functional;

(c) A wealth of material and spiritual values was doomed to vanish, leading to the impoverishment of the culture and civilization of the peoples concerned and depriving the youth of their elementary right to be acquainted with the material vestiges of their past and with their spiritual heritage;

(d) Millions of young people in some countries continue to be deprived of the right to the enjoyment of their youth. Subjected to compulsory labour, to mistaken educational trends, to the absence of amusements, of dancing and music, young people tend to become spiritless robots, their only prospects being that of swelling the ranks of salaried slaves;

(e) In various countries, persistent joblessness has swelled the ranks of the disillusioned and the disoriented. Dissolute pastimes, the haphazard structuring and content of leisure activities have increased vice and immorality among the young, who frequently seek refuge in narcotic drugs;

(f) Under both sets of circumstances many young people today have been robbed of the joys of youth, a time of life for fulfilment and achievement of which no adolescent should be deprived;

(g) Gradually many young people have become indifferent and listless. Feeling that they are being manipulated to ends that do not reflect their aspirations, many have become weary. They realize that what they are being told to do is not useful now, nor is it useful for the future. Without the

joy of creativity, the young have lost their characteristic enthusiasm; a freely-chosen occupation, the source of the greatest social achievements, has been replaced by compulsory work;

(h) The cruellest blow to thousands upon thousands of young people has been that of being robbed of their right to a bright future. Economic structures that impede progress, institutional systems that spawn poverty and discourage efforts to improve one's lot, the savage and irrational exploitation of natural resources, severe environmental pollution, especially of air and water - all these deprive young people of prospects for a better future. Many do not see the appropriate way to improve the situation. The chaos caused by incompetence in various branches of the economy in some countries and the refusal to carry out reforms render necessary changes in the basic structure impossible. Robbed of their right to a better future, young people feel profoundly disillusioned, confused, discouraged and demotivated; they are amputated of that which should be their most precious possession; a joyful expectation of the future;

(i) The feeling of dissatisfaction and revolt among the young is all the greater as certain rulers impose their erroneous decisions, their faulty solutions and their inefficient economic organization precisely in the name of a better future for the younger generation;

(j) The ability of young people to contribute has been underestimated and neglected in the formulation of development programmes and in the identification and implementation of ways to achieve progress; the younger generation has been left out of the mainstream thus depriving society at large of an inestimable resource of creative thought and intelligence.

IV. YOUNG PEOPLE: THE MAJOR FACTOR IN THE STRUGGLE TO CHANGE THE WORLD AND TO RESTORE DEMOCRACY

18. Many young people have been astonished and bewildered by the fact that entire nations have been deprived for so long of their rights and freedoms. How was it, how is it still possible, they ask, that dogma which deserved only derision is enshrined in bound volumes, exhibited in places of honour on the shelves of large official libraries, and that thousands of people have been obliged to learn it by heart?

19. How was it, and how is it still possible that thousands upon thousands of people sing the praises of mistaken and deeply detrimental ideas and conclusions? What can justify calling those who try to speak the truth criminals or mentally disturbed and isolating them behind bars from the rest of the world?

20. Young people have been astonished by the fact that millions of people think one thing but say something altogether different. They have asked what has produced this duplicity that throws discredit upon the human race?

21. In particular, young people have had the courage to ask how it has been possible to equate free thought and speech - universally recognized to be the finest achievements of mankind - with a criminal offence, when all the international instruments in this domain solemnly proclaim everybody's right to hold opinions and to freely express them?

22. Young people have had the courage to point out in clear terms that the criminals are not those who think and speak as they wish, but those who take it upon themselves to oppress and persecute them for exercising their basic human rights!

23. Through a real revolution, young people, together with other segments of society, have demonstrated that in contrast to other living creatures man is the only one endowed with the power of reason, able to comprehend the objective world and to express judgements. Since conscious reflection is what sets him apart from the rest of the animal kingdom, to deny a human being the right to think and to express his thoughts means to negate his rightful historic role and to put him on a par with animals. Those who did and do this have committed and commit the iniquity of iniquities!

24. Young people have been astonished to see that whole nations were reduced to a state of slavery, their only preoccupation being their physical survival. They have demonstrated that these unbelievable developments were and, alas, are still possible under certain deeply undemocratic regimes which cancelled at one stroke all the attainments of human civilization and distorted arbitrarily all human relationships, placing them under the dominion of suspicion and repression.

25. Today, after seven decades of ordeals, the issue of recognizing human rights has been raised, to enable people to freely express their opinions and thus to put the Stalinist nightmare behind them; this has been considered to be a great step forward.

26. Fortunately the idea took root in the majority of countries with dictatorial regimes, although it was rudely rejected in a few others!

27. However, people - primarily young people - manifest their firm determination to put an end to the nightmare produced by the rejection and the brutal violation of freedom and democratic rights. They demand respect for the rights of the human species conferred upon it by its very development: to be free and to live in freedom!

28. They will never accept the violence of tyrants and dictators, their attempts to keep people enslaved and to relegate them to the role of animals.

29. The revolution to which many of us have been witnesses has been a revolution of young people who have expressed their firm determination to change the world, to restore democracy and to live in freedom as every human being has to live!

V. DEEP CONCERN ABOUT THE INCREASING NUMBER OF VIOLATIONS OF HUMAN RIGHTS OF YOUTH

A. Life, liberty and security of youth

30. The life, liberty and security of young people are in danger in many parts of the world. Child abuse, the sale of children for adoption, the utilization of youth on behalf of adult offenders, the utilization of youth for pornographic films, all seem to be progressively increasing.

1. Summary or arbitrary executions

31. Of particular concern is the increasing number of summary executions as well as the continued incidence of arbitrary executions of young people in different parts of the world. A factor common to all the victims is that they were in opposition to, or were perceived or imagined to have been in opposition to, those who wielded political or economic power in the State or Government, or were perceived to be in opposition to certain aspects of their political, economic, social and cultural policies. Many young people have been arbitrarily executed during events such as demonstrations, strikes or other forms of protest. Summary or arbitrary executions of young people are most prevalent in areas where internal disturbances exist. Such executions have been carried out after a violent change of Government resulting from wars, internal armed conflicts, revolutions or coups d'état, or after attempts to change the Government by constitutional means had failed.

2. Enforced or involuntary disappearances

32. This reprehensible violation of the human rights of youth is a result of excesses on the part of law enforcement or security authorities or similar organizations and the resultant difficulty or impossibility of obtaining reliable information from competent authorities. Summary or arbitrary executions and enforced or involuntary disappearances, which involve plain and fundamental breaches of the most elementary human rights, have been generally regarded as being politically motivated. Disappearances have always been convenient for a powerful Government to silence its opponents by removing them. Disappearances directly affect the right of parents to know the fate of their children, the right of relatives to be informed of the whereabouts and fate of missing family members. For those who wield political or economic power in the State or Government, the repercussions are minimized if political opponents can be erased, without statements, trial or martyrdom.

33. Why are these methods used so often against young people by some Governments? The analysis of this situation has shown that young people are very courageous and much more decided to fight for liberty. For young people, liberty means everything; it is their life and their future.

34. Any dictatorship understands this fact very well. That is why it is ready to take every repressive measure to neutralize young people fighting for liberty. For any tyrant or dictator, summary or arbitrary executions and enforced or involuntary disappearances are most convenient. A tragic solution!

35. Since summary or arbitrary executions and enforced or involuntary disappearances are the most reprehensible and flagrant violations of the right to life of young people, we consider it necessary to collect further information focusing on these and other matters concerning youth. The question of summary or arbitrary executions and enforced or involuntary disappearances of young people is a matter of high priority, bearing in mind that deprivation of life is irrevocable.

3. Health and hunger

36. The life of young people is in danger in those countries where their right to adequate food and to a standard of living adequate for their health and well-being is not observed. Many young people, particularly in developing countries, suffer from hunger and malnutrition. We have noted with deep concern that in some countries political leaders have used food and medical care as an instrument of political pressure.

37. In conformity with information sent by the World Health Organization, the access of young people to medical care is far from satisfactory. And according to the estimate of FAO, in the 10 years preceding 1991 at least 55.5 million young people died of hunger, most of them in Africa and in the least developed countries.

4. Disabled youth

38. Statistics show that many disabled people are young. On the basis of information received, it is clear that in many, particularly developing countries, there is an increasing number of disabled young people. Every young person with a disability is, in a sense, impoverished. They must confront the most difficult problems in all aspects of daily life. The United States has adopted the Americans with Disabilities Act (ADA) which gives civil rights protection to individuals with disabilities. It guarantees equal opportunity in employment, public accommodations, transportation, State and local government services and telecommunications. Such rules and regulations should be promoted everywhere in the world, as for young disabled people in particular they represent an important guarantee in their efforts to secure equal access in all fields of modern society.

5. Armed conflicts

39. The serious tensions on the international scene and the unprecedented and immensely costly acceleration of the arms race limit the opportunities to resolve certain acute economic and social problems facing many young people today.

40. We have to stress again that, to ensure the enjoyment by youth of the right to life, the international community must make every effort to strengthen peace, remove the growing threat of war, particularly nuclear war, to halt the arms race, to achieve general and complete disarmament under effective international control, and to prevent violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and self-determination of peoples. In the recent past, the number of young victims of wars or other military conflicts, on conservative estimates, would be at least 3 million.

6. Conscientious objection to military service

41. During the last three years, young people succeeded in convincing some national authorities to recognize their right of conscientious objection to military service as a legitimate exercise of the right to freedom of thought, conscience and religion. In such countries, including Hungary and Poland, new rules and regulations were adopted which recognized explicitly this right and offered young people the possibility of performing non-military alternative service.

42. Unfortunately, there are many countries where the recommendations contained in Commission on Human Rights resolution 1989/59 continue not to be applied. In many countries, persons who object to military service for reasons of conscience are routinely imprisoned or forced into military service. In these countries, all conscripts who refuse to perform military service are tried before a military tribunal and may be sentenced to up to three years' imprisonment. On the other hand, in some countries the duration of the alternative service appears to be punitive. For instance, in France conscripts are accepted for alternative civilian service in a State administration or in local organizations of a social or humanitarian nature but the length of service is 24 months, twice that of ordinary military service. It is our firm view that alternative civilian service of a punitive duration is not an acceptable alternative.

43. On the basis of the resolution cited, all States should take appropriate steps to recognize the right of conscientious objection to military service as a legitimate right. Through appropriate laws and regulations, conscripts should have the right to claim conscientious objector status at any time, since the claim is an exercise of the fundamental right to freedom of thought, conscience and religion. In the view of Amnesty International, "a conscientious objector is understood to be a person liable to register for conscription for military service (even where there is no military service), who, for reasons of conscience or profound conviction arising from religious, ethical, moral, humanitarian, philisophical, or similar motives refuses to perform armed service or any other direct or indirect participation in wars or armed conflicts". A thorough analysis was made by the European bureau for conscientious objection to military service in the Soviet Union and other European countries. According to the International Peace Bureau, many young people were compelled to participate in military conflicts in Afghanistan, El Salvador, Guatemala, Iran and Uganda. Thousands of them were taken prisoner. Many young people were killed in the armed conflict in Cambodia contrary to their convictions. According to an Amnesty International study published in January 1991 on the basis of analyses in Argentina, Austria, Bulgaria, China, Cyprus, Czechoslovakia, Germany, Finland, France, Greece, Hungary, Israel, Italy, Norway, Poland, Romania, Somalia, South Africa, Spain, Sweden, Switzerland, USSR and Yugoslavia, there is an urgent need to recognize the right of everyone to refuse to kill.

7. Drug abuse

44. The life of many young people is in danger in different countries because of the continuing increase in the use of illicit drugs. Young people are frequently engaged or used in different aspects of the illicit drug business,

including the production, possession, trafficking, demand and consumption of illicit drugs. The immediate consequences are massive social and human problems and harmful effects on the physical and moral health of the young population. The Ministry of Foreign Affairs of Colombia has reported that in spite of special measures taken by the Government, many young people continue to be victims of the abuse of narcotic drugs. On the basis of information received, in the world today at least 14 million young people are victims of the abuse of narcotic drugs and psychotropic substances and more than 5 million are engaged or used in different aspects of the illicit drug business, while about 17.5 million are victims of alcoholism. The extent and occurrence of the abuse of narcotic drugs or alcohol during the 20 years preceding 1991 may have been even more widespread, since not all cases were reported. According to Amnesty International, in Colombia, "against a background of continuing civil conflict and extensive drug-related violence, government forces - sometimes operating in alliance with drug-traffickers - and paramilitary groups under their command continue to commit widespread and systematic human rights violations". In many countries, young people, victims of the abuse of drugs, committed crimes. There is a close relationship between drugs and violence.

45. In view of the extremely grave consequences for the physical and moral health of young people, and for every human being, many national and international organizations consider it necessary to recognize the illicit drug business, including the production, possession, trafficking, demand, consumption and financing of illicit drugs, as a crime against humanity.

8. Juvenile justice

46. The administration of justice in the case of young offenders is very important for the full enjoyment by youth of the right to life. In the view of some members of the Board of the International Society of Social Defence (ISSD), a penal sanction affecting juveniles is meaningless if it does not aim at the social reintegration, education, professional training and rehabilitation of the offender, the sanction as such being secondary. Recourse to detention for an indefinite period, sometimes adopted even for unusual behaviour not involving any breach of the penal law, is today considered contrary to human rights.

47. Juvenile justice may well play a very important role in the protection of human rights if it recognizes that the minor has his own rights and if it succeeds in combining the need for protection and the need for guarantees. Present trends aim to restrict the detention of minors to the most severe cases and to consider detention as the ultima ratio, developing instead alternative measures which, while reacting to the offence, do not deprive the person of his liberty. The penal law and the penal system for young people aim at overcoming any form of paternalistic intervention, keeping however the peculiarity of a system which, with legal guarantees, pursues above all an educational and social action and places the interests of juveniles in the forefront.

48. Many Governments have adopted measures which provide for the protection and care of young persons who are victims of abuse, abandonment and exploitation. In some countries, rules, regulations and procedures have been

adopted which provide stiff punishment for cruelty to young persons. For instance, if a person who has the custody, charge or care of a young person wilfully assaults, ill-treats, neglects, abandons or exposes such young person or causes or procures or permits such young person to be assaulted, ill-treated, neglected, abandoned or exposed in a manner likely to cause such young person unnecessary suffering or injury to his health, that person shall be deemed guilty of an offence punishable by imprisonment of up to several years or to a fine, or to both imprisonment and fine.

49. In many countries, school welfare services have been organized which are responsible for the after-care of juvenile offenders detained in, or released on parole licence from, approved schools or approved homes. It is necessary to start after-care from the day of the offender's detention in the institution until his eventual reintegration into the community.

9. The role of youth in the promotion and protection of the rights of victims of criminal abuses of power

50. During 1989-1991 the struggle of youth for freedom and democracy became decisive in some countries. At the same time, repression of young fighters for freedom was stronger and much more cruel. Amnesty International estimates that at least 1,000 people were killed and thousands more injured in Beijing in early June 1989 when troops fired into crowds of protesters and bystanders - the vast majority of them young and unarmed. In Romania, during the December 1989 revolution and the killing and repression during June 1990, young people have suffered the most. In Myanmar, during the 1988 and 1989 repression, most of the victims were students.

51. During those tragic events, many young people were killed. Also, some of them have suffered physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights. In accordance with the provisions of international law, the victims should be treated with compassion and respect for their dignity. Those who are guilty of the criminal abuses of power should be tried and punished in conformity with the law. Judicial and administrative mechanisms should be established or strengthened to enable victims to obtain redress through formal and informal procedures that should be expedious, fair, inexpensive and accessible.

52. Victims should receive the necessary medical, psychological, social and material assistance through governmental means. Police, justice, health, social service and other personnel concerned should receive training and guidelines to ensure proper and prompt aid.

53. Those States that have no adequate rules and regulations to punish such criminal actions should incorporate into their national law norms proscribing crimes and abuses of power and providing remedies to victims of such crimes and abuses. In spite of the resistance of political leaders in some countries, sooner or later, justice should be done. But, as former President Franklin D. Roosevelt of the United States rightly pointed out, "the question is not only to punish such criminal abuses of power. The most important is to prevent them". And national and international law have a decisive role to this end.

B. Serious difficulties in ensuring the exercise of youth's fundamental right to education

1. Development of education

54. In particular, in less developed countries, schooling has often been insufficient in content and quality, with overcrowded classrooms, teachers insufficiently trained and overworked, insufficient equipment and without the help of essential support services.

55. Investment and assistance are not sufficient to create efficient school systems and support services in order to endow schools with qualified personnel. It is estimated that at the present time some 878 million people can neither read nor write, as against 742 million in 1970. If current trends continue, the situation will be even more difficult in 1995. In some countries, particularly the less developed, one young person in four is illiterate. There is no doubt that the extension of effective assistance for the eradication of illiteracy and for the promotion of education of all kinds to the developing countries, both bilaterally and through the United Nations system of organizations, has become the most important and urgent activity. Many Governments of developing countries have assigned prime importance in their programmes of social development to eradicating illiteracy.

56. The Government of China has reported that "in order to raise the quality of Chinese youth, the Government has launched all manner of intellectual development and self-improvement schemes among the young. According to incomplete statistics, 120 million young people have taken part in schemes of this kind, 55 million youth are resolutely studying at home and every year 3 million sit the nationwide higher education examination for correspondence and self-taught students. But, China still has over 100 million illiterates and per capita spending on education is low". The Ministry of Education, Culture, Youth and Sport of the Republic of Namibia has reported that "an integrated, comprehensive and responsible youth development programme will reinforce and augment academic training meaningfully and responsibly to the benefit of the country and its people".

2. Equality in treatment

57. In spite of the fact that many actions and measures have been taken against discrimination in education, it persists in some countries in the admission of boys and girls to educational institutions, in the treatment by the public authorities as between nationals, in the matter of school fees and the granting of scholarships and other forms of assistance to young people and the necessary permits and facilities for the pursuit of studies in foreign countries.

58. The Ministry of Education, Culture, Youth and Sport of the Republic of Namibia has reported that "during the pre-independence period, the policy of apartheid was progressively introduced into Namibia by the South African regime. One of the many legacies of South Africa's administration of Namibia led to institutionalized inequality in education, social welfare and labour.

Black Namibians, for example, were trained from an early age to fill the low-level jobs reserved for them by the white minority. The education system catered for blacks, whites and coloured separately and within each sector, there was further segregation between ethnic groups".

59. There is a very strong trend to eliminate any practices which involve discrimination in education, to ensure that there is no discrimination in the admission of young people to educational institutions, that there are no differences in treatment as between nationals, except on the basis of merit or need, in the matter of school fees and the granting of assistance. Many Governments have adopted effective measures to eliminate any restrictions or preferences based solely on the ground that young people belong to a particular group, and to give foreign nationals resident within their territory the same access to education as that given to their own nationals.

3. Guidelines

60. In a number of market economy countries, schools are beginning to defer the time at which a choice must be made between predominantly academic and predominantly vocational pursuits, thus maintaining flexibility and promoting the general education that is necessary for all forms of work.

61. In some planned economy countries, in response to a need to adapt to technological changes, reforms have been introduced to raise the quality of education and vocational guidance at school. In these countries, there is a concern to combine academic instruction with preparation for practical work, so that even at the primary school level students will be taught basic vocational skills.

C. Grave and numerous problems in ensuring the exercise of youth's fundamental right to work

1. Forced or compulsory labour

62. In some countries young people are required to perform forced or compulsory labour, whereas others have no employment. In other countries there is a very large proportion of underemployment or a very low or inadequate income or even exploitation of youth labour.

63. The existing systems of forced or compulsory labour in some developed, and in particular in various developing countries seriously threatens fundamental human rights and jeopardizes the freedom and status of young workers in contravention of the obligations and provisions of the Charter of the United Nations, the International Covenant on Civil and Political Rights and other international instruments. In many cases, forced or compulsory labour is used as a means of political coercion or punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system. In some countries, forced or compulsory labour is used as a method of mobilizing and using labour for economic purposes or as a means of labour discipline, as punishment for having participated in strikes and as a means of racial, social, national or religious discrimination. Unfortunately, in large areas of the world young people are exploited under horrible conditions. In different developing

countries, extreme poverty forces many young people into the labour market at a very early age, depriving them not only of the joys of childhood but also of any possibility of realizing their full potential as adults.

64. There are many types of such youth labour, including family farming, family craftwork, craft piecework, small tasks carried out by young people on their own account, small tasks carried out for third parties, seasonal work in agriculture, apprenticeships, sweatshops, maid-of-all-work labour in a situation of virtual bondage, youth prostitution and bond service. Many young people are unpaid family workers in household enterprises. A vast majority of youth work long hours and receive a low income, particularly in rural economies, where many young people are engaged in subsistence activities and unpaid family labour, such as repairing and maintaining dwellings and farm buildings, growing vegetables and fruit not for their own consumption, carrying water over long distances, etc. Most of these activities take up a considerable amount of time and contribute to the output and welfare of the household enterprises. Even when a boundary is drawn between the two, for young workers the practical problems of qualification remain, since these activities tend to escape the conventional measurement tools. There are many contemporary manifestations of slavery-like practices, including apartheid, colonialism, traffic in and exploitation of youth labour, debt bondage, illicit traffic in young migrant workers and exploitation of hard drug addicts. Conservative estimates would put the number of known victims of forced or compulsory labour between 1970 and 1990 at at least 14 million young people. The extent and occurrence of such labour during this period may have been even more widespread, since not all cases were reported or known.

65. Of concern are also incidents involving the illegal transportation of young workers from different developing countries to some developed ones in conditions akin to slavery and forced labour, which had been organized or undertaken by criminal elements. This raises the problem of the exploitation of youth labour through illicit and clandestine trafficking. The suggestions and recommendations made on this important matter by the United Nations Special Rapporteur, Mrs. Halima Warzazi, should be taken into account.

2. Equality in treatment

66. In some developed countries there is a discriminatory treatment of young migrant workers, despite the legislative and other efforts exerted to prevent and punish mistreatment. In many cases, young migrant workers have no regular status and are denied a treatment equal to that enjoyed by the nationals of the country with regard to the enjoyment of fundamental human rights, with particular reference to equality of opportunity and treatment in respect of employment and occupation, social security, trade union and cultural rights, and individual and collective freedoms. The illicit traffic in young alien workers continues to be organized in various places. Some host countries do not have enough efficient cooperation with the countries of origin to provide young migrant workers and their families with the necessary facilities in the fields of education and information for safeguarding their cultural identity. Many young migrant workers are denied the conditions needed to receive education in their mother tongue and on different aspects of their cultural achievements with a view to preserving their national identity. There is also

a lack of sufficient and efficient cooperation between the State of origin and the State of employment to help to create new job opportunities for young migrant workers returning to the State of origin.

3. Unemployment and underemployment

67. Many serious and very difficult problems are related to youth unemployment and underemployment. Since the end of the 1970s, youth unemployment in the industrialized market economies has become a much greater problem for all categories and not just for the high-risk groups at the margin of society, such as educationally disadvantaged migrants, racial minorities, disabled youth and young women. Unemployment has increased and the periods of unemployment have become much longer. The beginnings of the current youth unemployment problems in the industrialized market economies can be traced to the general slow-down of demand and economic activity in the mid-1970s, aggravated by the 1979 oil shock, followed by a global recession and by demographic factors combined with the effect of rapid structural change caused by technology and other factors and the displacement of certain industries.

68. In developing and particularly in less developed countries, youth employment problems are part and parcel of the overall problem of poverty, unemployment and underemployment.

69. Of particular concern is the pattern developing in those countries where the employment prospects of young people, and particularly disadvantaged youth moving into their early twenties, are not improving, thus raising the spectre of a generation of young people, born in the late 1950s to mid-1960s, facing a prolonged period of adult unemployment. In more developed countries, economic recovery began in 1983, but youth employment has responded very slowly to this important event. The improvement in OECD countries in 1984 was accounted for almost entirely by a 2.7 per cent increase in youth employment in the United States. In the industrialized market and planned economies, a common phenomenon is a clearly discernible decline in population growth since the 1950s. There is a connection between this phenomenon and the future size of youth employment. It would appear that in the 1990s the teenage labour force will be smaller in most countries than in the 1960s and 1970s. Young women entering the labour force will partially offset this decline.

70. In the centrally-planned economies, in the context of shortages of manpower in some countries and the need to make efficient use of available manpower, young people are faced with certain problems of job placement. In some of these countries, effective measures for restructuring the economy have been taken. In these countries, there is concern to settle such problems as job placement, as well as the selection of an occupation that takes into account individuals' interests as well as the requirements of society.

71. Underemployment is another phenomenon facing young people in many countries. In various places, young people involuntarily work a shorter period of time than is normally associated with a particular activity and are available for or seeking additional work. These are visibly underemployed young people. In some countries, a very large proportion of underemployment is "invisible", which reflects a misallocation of labour resources or a

fundamental imbalance between labour and other factors of production. Young people face such difficult problems as very low or inadequate incomes, under-utilization of their skills or capacities and low productivity.

72. Young people, particularly in their formative years, require clearly determined and defined hours and conditions, taking into account the need to limit working time in order to allow sufficient time for education, rest and leisure activities. The seventy-second International Labour Conference (1986) stressed that part-time work represents one of the opportunities available to youth employment in many countries. Such work can provide possibilities to pursue further education and training.

4. Security and safety

73. One of the basic aspirations of the vast majority of young people is to improve their access to full-time employment opportunities with fair conditions of work, career prospects and job satisfaction. It has been emphasized that meeting these important aspirations in many countries is dependent on higher and sustained rates of global economic growth so as to achieve a significant expansion in labour demand generally, taking into account that both the quantity and quality of employment opportunities for every young boy and girl, and for everyone, are closely associated with the functioning of the overall economy in every country and in general in the world. There is no doubt that coordinated economic and social policies, both at the national and at the international level, which facilitate the achievement of more stable and fair commodity and financial markets and an expansion of international trade, including freer access to international markets and based on the principles of equality and mutual advantage, are essential macro-economic preconditions for the solution of existing youth unemployment problems. The social and economic cost of the problems confronting young people in today's world impose heavy burdens on both individuals and society as a whole. However, the cost of not overcoming those problems will be much higher in the long run, should effective solutions not be found.

74. The most important prerequisites for the meaningful realization of the rights of youth are independence, territorial integrity and national sovereignty, without which no effort towards economic or social development can lead to a more just society. To ensure full enjoyment by youth of the right to life, to education and to work in different countries, particularly in the less developed ones, would require necessarily peaceful but radical social changes, which would allow all the human and material resources of a nation full and dynamic participation in the process of development. Young people are an important component of every society. To stimulate their effective participation in the process of development, urgent measures of radical reforms are required, which must be based on social justice, national consolidation and solidarity, the equitable distribution of income, wealth and services, the bringing of rural and urban income levels closer together, an increased respect for work, the removal of any kind of discrimination in fact as well as in law and the decentralization of decision-making and the system of government within the framework of an effective democratic structure. There is no doubt that rapid modernization requires that institutions make youth participation more effective.

75. In many countries, particularly in the less developed ones, a radical change is urgent in the educational system, implying not only an increase in the quantity of schooling but also an improvement in its content and in its very spirit. The creation, expansion and consolidation of links between labour and ownership in industry and the training of skilled young workers, are important components of this change. To ensure that human resources are mobilized and that the most needy elements benefit from technical cooperation projects, it is necessary to orient projects to the special requirements of university students and out-of-school youth, in order to integrate young people both as productive agents and as beneficiaries of industrial development, as well as participants in the decision-making process.

VI. THE CAUSES OF THE CONTINUING VIOLATIONS OF HUMAN RIGHTS OF YOUTH

76. The contempt for the rights of youth, as stipulated in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the other international instruments, leads to the continuing violations of these rights.

77. Youth is the sole component of society which is deprived of any direct representation of its own interests. A social policy for youth is necessarily a "filtered" policy, an asymmetric one, in which there is no dialectical confrontation between the concerned parties.

78. At least 190 million young people have no possibility of enjoying their right to freedom of opinion and expression; at least 150 million young people are facing serious difficulties in the exercise of their right to freedom of thought, conscience and religion and at least 300 million young people have no possibility of enjoying their right to freedom of association.

79. At least 180 million young people are confronted with extraordinary obstacles and difficulties in the exercise of their right to leave and to return to their country.

80. In some countries, young people continue to be confronted with many obstacles in the administration of justice. Many tribunals are not independent and impartial. In other countries, at least 140 million young people are subject to arbitrary interference with their privacy, family, home, correspondence and telephone.

81. Lacking the necessary understanding of the mechanisms of development, dictators and tyrants have imposed by force theories and concepts which run counter to the interests of the people. No wonder that in an attempt to justify their misdeeds, these dictators have forged the thesis of "the need and advisability of replacing one dictatorship by another", theirs turning out to be far more cruel and repressive than preceding ones.

82. Even after taking power and physically liquidating the opposition, dictators have continued to resort to repression in ord to keep themselves in power at all costs; they turned it against anyone who might dare to think on his own or hold personal opinions, be they even members of the new ruling circle. Thus, time and time again, dictators have made heads roll, killing hundreds of thousands of people in repeated waves of blood-letting, all for the sake of a theory of which their understanding might have been only approximate but which they made into an immutable dogma.

83. It is in the name of such immutable dogmas that millions of people are robbed of their earnings, acquired through hard work, and, by the same token, of their age-old belief: that honesty and unstinting labour, the fruit of one's skill and intelligence, is the only road to a better life.

84. Old forms of labour exploitation have been replaced by new ones, dominated by the element of oppression; but the slogans and concepts launching them are picked up and repeated with great complacency by loafers and shirkers. People have been robbed of the joy of working to improve their standard of living: a better life can no longer be attained through diligence.

85. A person's qualities have ceased to be the criterion for advancement; personal connections and the ties of consanguinity have become the warp and woof of the social fabric. A well-placed person's intervention in one's favour, or just being related to such a person, immediately opens all doors and gives one undreamed-of prestige.

86. The peasants, who were always known to have great attachment for their land, have lost all interest in planting and harvesting crops, having had every right taken away from them ... except that of being slaves.

87. Whole areas, famed for their fertility, have been transformed from oases of prosperity into places of poverty and want; so much so, that grain farmers are without their "daily bread", having to go into the towns to buy it, cattle growers have no meat or milk, while farm animals starve to death, together with their keepers.

88. The dogma of forced industrialization has wrenched millions of peasants from their traditional life; drawn to the cities by false promises, they have become slaves in grossly underpaid jobs. This type of industrialization, carried out through voluntarist methods by a number of dictators with discretionary powers has brought untold grief to millions of people.

89. The economy was restructured, mostly in a haphazard way, and whole sectors have proved unprofitable due to bad planning. Millions of people are thus forced to work in a vacuum of purpose and are robbed of the joy of tangible results.

90. The natural resources of these countries have been mercilessly exploited and wasted to no purpose. The crystal waters of their rivers have been unconscionably polluted and the quality of the air over large areas makes breathing difficult. Forests have been over-exploited in an irrational and irresponsible manner.

91. "Cosmopolitanism" was turned into an accusation and levelled at intellectuals who sought to introduce into their own countries the useful findings discovered elsewhere. An intellectual family background is looked upon as a blemish or, at any rate, as a major reason for preventing the advancement of people of real value.

92. The absurd cult of the Leader (even when he is someone who can hardly read) has produced a climate which renders almost impossible the self-affirmation and rise of the best people in science, culture, literature and the arts. In fact, any attempt to make a name for oneself is considered an effrontery; those who had the temerity to stand out above the crowd were silenced with methods of unheard-of brutality.

93. The rules governing a normal society have been reversed; instead of the rulers being subordinated to the will of the people and acting in its behalf, whole nations are forced to bow to the decisions and to do the bidding of the tyrants, with wholly absurd results: even in the most practical and technical matters, the attempt is made to bend economic mechanisms to the dictator's decisions - though he may totally lack an understanding of the issue.

94. There continue to exist countries where the impoverishment of the population and the threat to the life of the young are due exclusively to the irresponsible attitude of certain rulers, whose voluntarist methods have led the economy to the brink of disaster. The acute shortage of basic foodstuffs has placed the genetically determined development of those to be born at risk, thus threatening the human race with degeneration.

95. The irresponsible attitude of some rulers who are intent on exporting at any cost their nation's most valuable products, including the consumer goods that are badly needed by the population, who indulge in making donations and gifts with a view to their own personal aggrandizement, has aggravated the state of poverty of the peoples concerned, creating untold hardships in their daily life and placing the physical and mental development of the young at risk.

96. There are countries in which the difficulties of providing the basic foodstuffs needed by the younger generation are of an objective nature: the soil is poor, large areas lie in arid zones, population density is very high. These countries must be given the appropriate types of assistance by the international community so that people can be assured of survival and the young can develop normally.

97. Those Governments or rulers who, having wrought havoc in their national economy, still send abroad the basic foodstuffs essential for the population's own needs, and especially for the normal development of the younger generation, make themselves guilty of the crime of genocide, for which they should be brought to justice and severely punished. Governments hold no greater responsibility than that of providing the means of subsistence necessary to maintain and to perpetuate life.

VII. MEASURES TO BE TAKEN IN ORDER TO ENSURE AND PROMOTE THE RIGHTS AND FREEDOMS OF THE YOUNGER GENERATION

98. Young people constitute a readily identifiable group with a distinctive perspective, a discernible culture, and an important contribution to the progress and development of society. Young people have common needs and common interests.

99. Many of their attitudes and values derive from problems which they encounter, their membership in other social groupings, groupings based on social class, gender, ethnicity, religion and culture. To this extent, their experiences and their interests diverge. Youth policy should endeavour to ensure equal opportunity and accommodate these twin perspectives.

100. In any community, in different degrees, young people encounter difficult problems, which derive not from their own inadequacies, nor in many cases from those of their education, but from changing economic situations, rapid technological change, the application of inefficient economic theories, rapid growth of armaments, etc.

101. Young people find themselves living in a society which does not make enough effort to resolve the problems with which they are confronted.

102. Many young people have difficulties in finding satisfying, productive and gainful employment. They have a sense of frustration and alienation and feel themselves undervalued and powerless.

103. Young people should demonstrate their competence and make their positive contribution to the development of society. The responsibility for assisting young people to establish independence and to make their positive contribution should be shared by the whole community.

104. One of the most important aims of development is the constant improvement of the well-being of all the world's young people on the basis of their full participation in the development process and a fair distribution of its benefits.

105. The rights and fundamental freedoms of young people can be guaranteed only if every tyranny and dictatorship, oppression and police terror are eliminated forever, political and economic systems will be restructured where necessary, and everywhere in the world real justice, respect for human beings, without distinction of any kind, will be established.

106. The economic and political pluralism and the separation of legislative, judicial and executive powers in a society, the free election of political leaders and the limitation of their mandate for a precise term are the most important components of a real democracy and the preconditions for the promotion of and respect for human rights and for the normal development of our children - the future of mankind!

107. It is imperatively necessary to take urgent measures for the protection of the life of young people everywhere in the world. It is a duty of the international community and of all national bodies to guarantee them a decent present and a bright future.

108. Governments have the duty to make every effort to protect the life of the younger generation.

109. They must make every effort to provide adequate medical care for all children and adolescents. The ban placed on imports of essential medicines and drugs, with the resultant risk to the lives of the new-born, of growing children, of young people and their parents is a measure that can only be qualified as criminal.

110. Placing on sale drugs and medicines whose date of validity has expired for the sole purpose of disposing of accumulated stocks is outrageous from both the moral and the legal point of view. The premeditated nature of this

illegality is demonstrated by the fact that in some countries the administrators of the health services have taken steps to stop stamping an expiry date on the wrappings of medical products.

111. A radical change in the educational system can be realized by ensuring the relevance and effectiveness of education through regular, ongoing curriculum development. Language, customs and traditions should be everywhere an integral part of the basic learning. Youth must have an adequate input in the educational decision-making process. Education should assist young people to develop individual autonomy and to participate in shaping their own reality.

112. There are various tools and strategies to develop human resources, e.g. behavioural-science techniques, organization development, performance engineering, which are being used in ad hoc and piecemeal ways, mainly through short-term formal training courses. It is important to develop corporate environments and networks of supportive structures that help to facilitate the application of newly acquired or enhanced knowledge and capacities. Diverse and marketable skills should be developed through youth training and apprenticeships. The dramatic effects of new technologies in the workplace must be examined, so that they can operate effectively in the changing work environment. Through these actions it is important to ensure that the younger generations will be able to compete for meaningful jobs and serve as a well-trained, dependable labour force in different sectors.

113. For young people, full implementation of the right to universal education must be ensured through free and compulsory primary education, universal and gradually free-of-charge secondary education, equal access to all educational facilities and the access of the younger generation to science and culture.

114. To ensure full enjoyment by youth of the right to work, public leaders must create a sound employment policy, leading to a better transition from school to work and recognizing the importance of social and human considerations as well as economic goals. The stamping out of corruption and the creation of more social discipline throughout society are essential for faster economic and social development. It is necessary to stress that, without a sufficient core of well-qualified, dedicated and honest administrators, the realization of the right to work of young people will be delayed. The exercise of social discipline and the participation of young people in all walks of life are very important in implementing economic and social programmes aimed at speeding up the enjoyment by youth of the right to work.

115. During training and during the time when earnings are low because of the necessity to continue studies or to work part-time, subsidies should be given to young people for room and board and, if necessary, for child-care and other expenses. A sound employment policy aims to support the effective integration of young people in the economic process. This policy will enable young people, within institutional infrastructures, to become and remain responsive to organizational goals, innovative and desirable changes. Young people should have better access to financial resources and other institutional facilities for the improvement of their participation in economic operations.

Motivation seminars, behavioural modification workshops and workshops intended to enhance skills need to be followed up by well-designed action plans and support systems. These measures should be coordinated to ensure quality in initial youth training, access to paid employment, and the possibility for proficiency courses during employment.

116. In many countries there is a large proportion of youth unemployment. Young people are by definition in a period of change, as they move from the end of childhood towards entry into the world of work. There are, at the same time, other forms of change, resulting particularly from migration and assimilation into new sectors. Young migrants and refugees, the rural and urban poor, disabled youth and young women are, very often, marginalized. Most of them live and work in unregulated employment conditions. Their situation is closely linked to the problems of extending social protection to workers in this sector, which is a significant grey area in most developing countries.

117. For young people, the problems encountered in the unregulated sector tend to be those of underemployment, poverty and lack of social protection. Policy makers are faced with the need to reduce the hardships and frequently exploitative conditions suffered by unprotected workers, particularly youth and children, while recognizing the positive contribution of this sector to employment creation.

118. Any policy in this field has to take due account of the stage and level of economic development and the mutual relationships between employment objectives and other economic and social objectives, and has to be pursued by methods that are appropriate to national condition and practices.

119. Given the differences in economic growth between more developed and less developed countries, it is necessary to restructure economic, monetary and social policies at the national and international levels in order to reduce disparities between developed and developing countries, and to use in a better way resources for youth development.

120. It is necessary to consider the needs of young people as a group in society with full rights; the rights and specific needs of each member of the group must be taken into consideration by public administrators and the community. Bold efforts have to be made to convert mentalities and thus to mobilize new energies to ensure expansion of the individual and of the community.

VIII. CHARTER OF THE RIGHTS AND FREEDOMS OF YOUTH

121. Every young man and woman has the right to liberty and security of his/her person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of liberty except on such grounds and in accordance with such procedures as are established by law, and in conformity with established international principles and standards.

122. All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

123. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

124. Young people have a right to the enjoyment of the highest attainable standard of physical and mental health. Absence of the basic means of subsistence has grave consequences for the physical and mental development of the youth who cannot develop as normal and healthy individuals able to contribute to the improvement of their political, social and economic conditions.

125. In no case may a person be deprived of his own means of subsistence. No one has the right to send abroad basic foodstuffs and nutrients through export transactions or other form of trade, transfer or donation, before the elementary means of subsistence are ensured for the normal development of children, young people and all citizens of one's own country. Basic foodstuffs and nutrients necessary for subsistence and the normal development of children, young people and all citizens should be reserved and conserved principally for the citizens of the country.

126. Young people have the right to education. The education of young people shall be directed to the full development of the human personality and the sense of personal dignity, and shall strengthen respect for human rights and fundamental freedoms.

127. Education shall enable young people to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

128. Parents have the right a priori to choose the kind of education that shall be given to their children.

129. The development of an educational system at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

130. Young people have the right to the free movement of ideas and to free contacts, without any restrictions, with other young people throughout the world.

131. Everyone has the right to leave any country, including his own, and to return to it.

132. Young people have the right to free access, without any restrictions, to the fundamental assets of universal science, art and culture, past and present.

133. Young people have the right to take part in cultural life, to enjoy the benefits of scientific progress and the protection of the moral and material interests resulting from any scientific, literary or artistic production of which they are the authors.

134. All States shall undertake to respect the freedom indispensable for scientific research and the creative activity of youth.

135. All States recognize the benefits to be derived from the encouragement and development of free international contacts and cooperation in the scientific and cultural fields.

136. Whoever opposes these fundamental freedoms is opposed to the generous ideas of understanding among peoples, the only lasting guarantee of peace.

137. Young people have the right to just and favourable conditions of work and to protection against unemployment.

138. Every State shall safeguard the right of young people to work, and to gain their living through work which is freely chosen or accepted.

139. Young people, without any discrimination, have the right to equal pay for equal work. Every young man and young woman has the right to just and favourable remuneration ensuring for himself or herself and his/her family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

140. No one shall be required to perform forced or compulsory labour. Children and young persons should be protected from economic and social exploitation. Their empoyment in occupations dangerous to morals, health or life, or likely to hamper their normal development, should be punishable by law. All States should set age-limits below which the paid employment of child labour should be prohibited and punishable by law.

141. Young people have the right to form and to join trade unions for the protection of their interests.

142. Young people have the right to rest and leisure, including reasonable limitations of working hours and periodic holidays with pay.

143. Young people have the right to own property individually as well as in association with others. Social and individual forms of property for young people shall be guaranteed. No one shall be arbitrarily deprived of his property. No one can dispose at will of the social and private property of the citizens of a country.

144. All young people have the right to freedom of thought, conscience and religion.

145. Young people have the right to fair and comprehensive knowledge of the history of their nation. For the younger generations, accurate informantion concerning their country's history is a guarantee of continuity and further development.

146. To this end, the protection and preservation of historical monuments and relics, including religious ones, is a sacred duty of the authorities and of all citizens. The destruction of a country's spiritual heritage, including religious monuments, is a sacrilege, a profanation, and those guilty of such destruction shall be severely punished.

147. Young people have a right to real democracy. No one has the right to falsify existing democratic forms and to use them for personal advantage, for political or other reasons, thus projecting a distorted picture of democracy in the minds of young people.

148. Everyone has the right to freedom of opinion and expression. This right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

149. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary to ensure respect for the rights or reputations of others and the protection of public health or morals.

150. Young people have the right to freedom of peaceful assembly and association, including the right to form and join trade unions for the protection of their interests. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society.

151. No one shall be compelled to belong to an association.

152. Young people have the right, and should have the opportunity, without any distinction of any kind, to have access, on general terms of equality, to public service in their country.

153. Every young man and woman shall have the right to take part in the Government of his/her country, directly or through freely chosen representatives. The will of the young people shall be taken into account.

154. The authority of every Government shall be based only on the will of the people. This will shall be expressed in periodic and genuine elections by universal suffrage and secret ballot or by equivalent free voting procedures.

155. Young people shall enjoy full equality in rights, without discrimination of any kind, such as race, colour, sex, language, religion, political and other opinion, national and social origin, property, birth or other status.

156. All persons are equal before the law and are entitled without any discriminaton to the equal protection of the law. Discrimination in any form shall be prohibited.

157. Young people have the right to recognition everywhere as a person before the law. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour or reputation.

158. In those States in which ethnic, religious or linguistic minorites exist, persons belonging to such minorities shall have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language.

159. Young people have the right to have or to adopt a religion or belief of their choice, and to the freedom, either individually or in community with others and in public or private, to manifest their religion or belief in worship, observance, practice and teaching. No one shall be subjected to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

160. All States shall undertake to respect the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

161. Every child has the right to acquire a nationality. Every child shall be registered immediately after birth and shall have a name.

162. Young people have the right to a happy future. The younger generations have the right to fight for a society of equality in wealth, not in misery. The full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedom to every young man and woman.

163. Young people have the right and the duty to demand appropriate political, economic and social reforms.

164. Young people have the right to justice, achieved with fairness, on the basis of the truth and only the truth. In each case of juvenile delinquency, the procedure shall be such as will take account of the young person's age and the desirability of promoting his rehabilitation. On one has the right to defy the noble principles of truth and fairness in the achievement of justice.

165. For the younger generations, to lose trust in the fairness of justice means to lose trust in such sacred values as life in freedom and dignity, friendship and understanding among the peoples of the world.

CONCLUSIONS AND RECOMMENDATIONS

166. Human Rights and Youth is one of the most complex subjects before the Sub-Commission. During his researches, the Special Rapporteur met hundreds of people, who discussed the difficult problems they had to confront not only in developing countries, but even in developed, industrialized countries. At this moment many organizations, in particular NGOs, are studying the problems of youth, but they have no comprehensive view of the rights and freedoms of this major segment of society.

167. Youth form a large part of the community and, in many respects, the most dynamic part. The events in Eastern Europe in the last three years, when young people had to pay in blood for the revolutionary, necessary changes in some countries, have confirmed this conclusion.

168. It has also been strikingly demonstrated in recent times that young people are the most vulnerable to unemployment or underemployment. By the general estimates, some 80 per cent of these unemployed around the world are young people. For this reason, we are witness today to a real confrontation between generations.

169. In the light of the above conclusions, for the final version of the report, I recommend to the Sub-Commission the following:

(a) To request the Secretary-General to send an appropriate communication to all Governments asking for their opinion on the protection and development of this specific segment of society;

(b) To organize consultations with major youth organizations of the world, through the Centre for Human Rights, in order to obtain their views regarding the protection and development of youth;

(c) To send the draft Charter of the Rights and Freedoms of Youth to various national youth organizations for their comments;

(d) To include in the report all the problems regarding the rights and freedoms of youth, in order to have a comprehensive view of the matter;

(e) To authorize the Special Rapporteur to check the information received concerning the gross violations of the rights and freedoms of youth through the existing means of the United Nations. It may be absolutely necessary to check such information in the country in question, in order to submit to the Sub-Commission correct and precise conclusions and recommendations;

(f) To request the Special Rapporteur to submit a final and complete version of the report on Human Rights and Youth to the next session of the Sub-Commission; to this end, to request the Secretary-General and the Centre for Human Rights, as in the past, to provide all necessary assistance.

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